

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: M.R. Bauer

) Art Unit: 3627

Application No.: 09/556,647

Confirmation No: 7493

) Examiner: Fischer, A.

Filed: 04/24/2000

Title: **Material Browser**

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**  
**NOTICE OF APPEAL & BRIEF SUBMITTAL**

MS AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

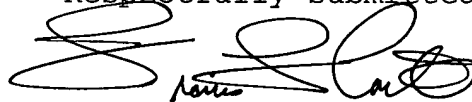
Sir:

In accordance with 37 CFR 1.191, Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final decision of the examiner dated 10/22/2003, finally rejecting claims 15-18, 21, 22, and 31-39, and submits the attached Notice of Appeal, form PTO/SB/31.

In accordance with 37 CFR 1.192, Applicant herewith encloses an Appeal Brief, in triplicate.

Please charge the \$330.00 fee, under Section 1.17(b), for filing the Notice of Appeal; and the \$330.00 fee, under Section 1.17(c), for filing the Brief to Deposit Account No. 14-0225 of NCR Corporation in accordance with the attached Fee Transmittal.

Respectfully submitted,



Date: 19 Dec 2003

Francis L. Conte, Attorney  
Registration No. 29,630  
Tel: 781-592-9077

6 Puritan Avenue  
Swampscott, MA 01907

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Attachments:

Notice of Appeal, form PTO/SB/31

Fee Transmittal for FY 2004

Appeal Brief - in triplicate

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FRANCIS L. CONTE

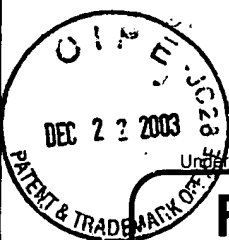
(Name of person mailing paper) (Signature of person mailing paper)

(Date)

19 Dec 2003

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**GROUP 3600**





AF/B627  
#

Approved for use through 07/31/2006. OMB 0650-0032  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **660**

## Complete if Known

Application Number 09/556,647

Filing Date 04/24/2000

First Named Inventor M.R. Bauer

Examiner Name Fischer, A.

Art Unit 3627

Attorney Docket No. NCR-8778

RECEIVED

DEC 29 2003

GROUP 3600

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
Deposit Account Name

14-0225

NCR Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	18	0
Multiple Dependent	-3** =	86	0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	330
1402	330	2402	165	Filing a brief in support of an appeal	330
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) **Publication Fee**

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **660**

## SUBMITTED BY

Name (Print/Type)

Francis L. Conte

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Telephone

781-592-9077

Signature

*Francis L. Conte*

Date

19 Dec 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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